

Interview Summary	Application No. 10/670,931	Applicant(s) KVATERNIK, NAOMI	
	Examiner Janet M. Wilkens	Art Unit 3637	

All participants (applicant, applicant's representative, PTO personnel):

- (1) David Herron. (3) _____.
- (2) Janet Wilkens. (4) _____.

Date of Interview: 20 September 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1 and 17-20.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Herron called to discuss his proposed amendment. See attachment. After reviewing the amendment, the examiner suggested some further changes, helped fix existing claim numbering problems and discussed the 112, first paragraph rejection of claim 20.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Attachment

INFORMAL PROPOSED AMENDMENT - 4 interview discussion

1. (TWICE AMENDED) A walker and a tray in combination, comprising:
- a first pair of spaced-apart legs connected to one another by a first upper connecting bar extending between respective points adjacent an upper end of each of the first pair of legs;
 - a second pair of spaced-apart legs connected to one another by a second upper connecting bar extending between respective points adjacent an upper end of each of the second pair of legs;
 - at least one strut connecting the first pair of legs to the second pair of legs;
 - a connector configured to selectively retain the tray in one of a primary position, such that ^{the} first and second upper connecting bars support the tray; and,
 - a secondary position, such that the tray is in a plane generally parallel to the first pair of legs; wherein,
 - a first edge of the tray cantileverly extends outwardly from the walker and forms a first ledge extending from the walker when the tray is in the primary position, and a second edge of the tray cantileverly extends outwardly from the walker and forms a second ledge extending from the walker when the tray is in the primary position, and wherein,
 - ~~the first edge being larger than a second ledge formed by a second edge of the tray that~~ extends outwardly from the walker by a distance greater than the second edge when the tray is in the primary position.

2. (ORIGINAL) The walker and tray combination as in claim 1, the connector being positioned on a lower surface of the tray and configured to grip the first upper connecting bar when the tray is in one of the primary position or the secondary position.

3. (ORIGINAL) The walker and tray combination as in claim 2, further comprising:

a first lower connecting bar extending between the first pair of legs; and,

a second connector on the lower surface of the tray and positioned to grip the first lower connecting bar when the tray is in the secondary position.

4. (ORIGINAL) The walker and tray combination as in claim 2, further comprising:

a second connector on the lower surface of the tray and positioned to grip the second upper connecting bar when the tray is in the primary position.

5. (ORIGINAL) The walker and tray combination as in claim 1, wherein the connector comprises at least one biasable claw configured to releasably grip the walker.

6. (ORIGINAL) The walker and tray combination as in claim 1, wherein the tray is polymethyl methacrylate.

7. (ORIGINAL) The walker and tray combination as in claim 1, further comprising

a first handlebar extending upwardly from an upper end of at least one of the first pair of spaced-apart legs; and,

a second handlebar extending upwardly from an upper end of at least one of the second pair of spaced apart legs.

8. (ORIGINAL) The walker and tray combination as in claim 7, wherein the first and second handlebars cooperate to limit movement of the tray in a direction generally parallel to the first and second upper connecting bars when the tray is in the primary position.

9. CANCELED

10 (TWICE AMENDED). A method of providing a removable tray to a walker, the method comprising the steps of:

providing a first pair of spaced-apart legs;

connecting the first pair of spaced apart legs to one another by a first upper connecting bar extending between respective points adjacent an upper end of each of the first pair of legs;

providing a second pair of spaced-apart legs;

connecting the second pair of legs to one another by a second upper connecting bar extending between respective points adjacent an upper end of each of the second pair of legs;

connecting the first pair of legs to the second pair of legs by at least one strut;

configuring the a tray to be selectively connectable to the walker in one of

a primary position, wherein the first and second upper connecting bars support the tray; or,

a secondary position, wherein the tray is secured to the walker in a generally parallel relation with each of the first pair of legs; and,

configuring the tray so that a first edge extends cantileverly past a plane containing each of the first pair of legs when the tray is in the primary position, thereby forming a first ledge extending outwardly from the walker;

configuring the tray so that a second edge extends past a plane containing each of the second pair of legs when the tray is in the primary position, thereby forming a second ledge extending outwardly from the walker; and,

creating the first ledge to cantileverly extend outwardly from the walker a distance greater ~~be larger than~~ the second ledge when the tray is in the primary position.

11. (AMENDED) The method as in claim 10, further comprising the step of
providing a lower connecting bar connecting the first pair of legs;
and

positioning a first connector on a lower surface of the tray;
configuring the first connector to grip the first upper connecting bar when the tray is in any one of the primary position or the secondary position; and,

positioning a second connector on a lower surface of the tray; and
configuring the second connector to grip the first lower connecting bar when the tray is in the secondary position.

12. (AMENDED) The method as in claim 10, further including the steps of
securing a first connector to a lower surface of the tray in a location adjacent to a lateral edge of the tray; and,

configuring the first connector to grip the first upper connecting bar;
securing a second connector to a lower surface of the tray;

positioning the second connector to grip the second upper connecting bar when the tray is in the primary position.

13. (ORIGINAL) The method as in claim 10, further comprising the step of selecting biasable claws to serve as connectors that are configured to grip respective portions of the walker.

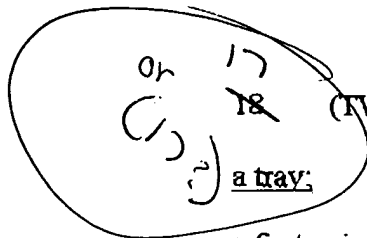
14. (ORIGINAL) The method as in Claim 10, further comprising the steps of positioning a first handlebar to extend upwardly from an upper end of at least one of the first pair of spaced-apart legs;

positioning a second handlebar to extend upwardly from an upper end of at least one of the second pair of spaced apart legs; and,

cooperatively configuring the respective handlebars and the tray so the handlebars limit movement in a direction parallel to the first and second upper connecting bars when the tray is in the primary position.

15. (ORIGINAL) The method as in claim 10, further comprising the step of removing the tray from the walker.

16. (ORIGINAL) The method as in claim 10, further comprising the step of making the tray out of polymethyl methacralate.



(TWICE AMENDED)

A walker and tray combination, comprising:

a first pair of spaced-apart legs connected to one another by

a first upper connecting bar extending between respective points

adjacent an upper end of each of the first pair of legs, and

a first lower connecting bar extending between respective points intermediate opposing ends of each leg of the first pair of legs; and,

a second pair of spaced-apart legs connected to one another by a second upper connecting bar extending between respective points adjacent an upper end of each of the second pair of legs;

at least one strut connecting the first pair of legs to the second pair of legs;

a first connector on a lower surface of the tray and configured to

grip the first upper connecting bar when the tray is in a primary position such that the first and second connecting bars support the tray,

and

grip the first upper connecting bar when the tray is in a secondary position such that the connectors retain the tray in a plane generally parallel to each of the first pair of legs; and,

a second connector on a lower surface of the tray and configured to grip the first lower connecting bar when the tray is in the secondary position;

a first handlebar extending upwardly from an upper end of at least one of the first pair of spaced-apart legs; and,

a second handlebar extending upwardly from an upper end of at least one of the second pair of spaced apart legs; wherein,

the tray is positioned on the first and second ^{upper} connecting bars and beneath the first and second handlebars and a first edge of the tray cantileverly extends to form a first ledge extending outwardly from a plane containing the first pair of legs, and a second

edge of the tray cantileverly extends to form a second ledge extending outwardly from a plane containing the second pair of legs when in the primary position; and,

wherein,

the first ledge ~~is larger~~ extends cantileverly outward from the walker by a distance greater than the second ledge; and,

the first and second handlebars cooperate to limit movement of the tray in a direction generally parallel to the first and second upper connecting bars.

~~18-19.~~ (ORIGINAL) The walker and tray combination as in claim ~~18~~¹⁷ further comprising

a third connector positioned on a lower surface of the tray and configured to grip the second upper connecting bar when the tray is in the primary position.

20. ^{once} (TWICE AMENDED) The method as in claim 11, further comprising the

steps of:

^{? upward}
applying downward pressure on the first ledge, thereby forcing the first

connector to disconnect from the first upper connecting bar; and,

removing the tray from the walker.



David E. Herron II
Registered Patent Attorney

FAX COVER SHEET

To **JANET WILKENS**
USPTO

From **David E. Herron II**

Fax Number **703 308 3686**

Date: **Spt 20**

TOTAL PAGES

(incl cover)

Comments:

Informal Amendment
In Re Kvaternik

STATEMENT OF CONFIDENTIALITY

This message is from the law office of David E. Herron II and is intended only for the addressee. The information contained in this message is confidential, may be attorney-client privileged, may constitute inside or non-public information under federal or state securities laws and is intended only for the use of the addressee. Unauthorized forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. If you are not the recipient, please notify the sender of the delivery error by mail or call our office at (913) 371-7011

P.O. Box 2778 • Kansas City, Kansas 66110
Phone: (913) 371-7011 • Fax: (913) 233-1600

Admitted in Kansas, Missouri, and the United States Patent & Trademark Office